

REMARKS

The Examiner is thanked for the careful examination of the application, and for the suggestions for amending the application. However, in view of the foregoing amendments and the remarks that follow, the Examiner is respectfully requested to reconsider and withdraw the outstanding rejections.

Claim Rejections - 35 U.S.C. §112:

In response to the rejections of claim 1-10 under 35 U.S.C. §112, second paragraph, the claims have been amended to address the issues raised by the Examiner. If the Examiner is of the opinion that additional issues exist under §112, the Examiner is respectfully urged to telephone the undersigned so that resolution of such issues can be promptly resolved.

Art Rejections:

Claims 1-3, 5-6, and 9-10 have been rejected under 35 U.S.C. §102(b) as being allegedly anticipated by U.S. Patent No. 5,897,546, hereinafter *Kido et al.*

As now amended, claim 1 defines the fastening system as including, among other elements, a first fastening element which includes a landing zone, and which is attached to the front part of the casing. The first element is also defined as comprising at least one skewing preventing part.

In the rejection of claim 1, the Official Action alleges that the first element 10 of *Kido* corresponds to the landing zone of claim 1. However, the landing zone is known in the art as the portion of the absorbent product to which the tabs are applied. For example, in *Kido*, the tabs 10 are applied to the "receiving sheets 11". As such, the receiving sheets

are landing zones, and the tabs 10 land on the receiving sheets. In contrast, nothing is applied to or lands on the tabs 10. Accordingly, the tabs 10 of *Kido* do not include a landing zone. Thus, *Kido* is different from claim 1 of the present invention in that the structure in *Kido* that the Examiner alleges corresponds to the skew-preventing part is found on the tabs 10, and is not on any structure that could reasonably be considered to be a landing zone.

Furthermore, claim 1 has been amended to recite that the first element, which includes the landing zone and the skew-preventing part, is mounted on the front part of the absorbent product. As set forth above, the Examiner alleges that the structure in *Kido* that allegedly corresponds to the skew-preventing part is found on the tabs 10, which are attached to the rear portion of the absorbent product. According to the structure of claim 1, the landing zone and the skew-preventing part can be applied in a single line, and no oppositely applied attaching zone, for example on the rear portion, is necessary to attach to the skewing preventing part, since the skewing preventing part can attach to the non-woven material of the rear portion of the diaper.

Accordingly, amended claim 1 clearly distinguishes over *Kido*.

Claims 3, 5-6, 9-10 depend from claim 1, and are thus also patentable over *Kido* at least for the reasons set forth above with respect to claim 1.

Claims 1, 7, 8, and 10 have been rejected under 35 U.S.C. §102(b) as being allegedly anticipated by U.S. Patent No. 5,984,911, hereinafter *Siebers*. *Siebers* discloses an absorbent article having an improved fastening system. On the front portion of the article, a loop panel 22 is attached to the front waist portion 16 of the back sheet 4 such

that the loops extend outwardly therefrom. See column 3, lines 36-38. Hook tabs 40 are secured to the rear portion of the article and are intended to attach to the loop panel 22.

The Office Action alleges that the claimed skewing-preventing part is disclosed because of the disclosure in *Siebers* at column 3, lines 36-38, which recites that the loop panel 22 is attached to front waist portion 16 of back sheet 4 such that the loops extend outwardly therefrom. However, this portion of *Siebers* describes that the back side of the loop panel 22 is secured to the cover sheet. It does not teach or suggest that the loops themselves are used to attach to the cover sheet in any way that might function as a skew-preventing part. Accordingly, *Siebers* does not teach or suggest a skew-preventing part.

Accordingly, claim 1 and dependent claims 7, 8, 10, are thus also patentable over *Siebers*.

Claims 1-2, 4, and 6-10 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,406,466, hereinafter *Pozniak*. *Pozniak* discloses, in Figure 8, a front section 10 having hooks (not illustrated or assigned a reference numeral), which hooks are intended to attach to securing zones 32 of tabs 30A and 30B. *Pozniak* also discloses friction zones 34 on the front portion 10 adjacent the hooks. The friction zones 34 are intended to provide friction between the outer surface of the friction zones and portions of the rear part of the article in order to prevent radial shifting of the fastening tabs 30A, 30B. See column 5, lines 6-21. The *Pozniak* specification is quite clear that the friction zones 34 have no securement properties and do not provide any securement in attaching fastening tabs 30A, 30B to the front portion. See column 5, lines 31-35; column 9, line 6; and column 12, lines 53-59.

In contrast to the expressed teachings of *Pozniak*, the skewing preventing parts of the present invention are adapted to adhere to the rear part of the casing. Claim 1 has been amended to specifically reflect this feature. See, e.g., page 3, lines 24-26, and page 4, lines 4-8, for support for the amendment to claim 1.

The skewing preventing part of the present invention is adapted to adhere to the rear part of the casing, and thus functions significantly differently than the friction zones 34 of *Pozniak*, which are expressly indicated as having no securement function. Accordingly, claim 1, as now amended, it is clearly patentable over *Pozniak*.


Claims 2, 4, 6-10 depend from claim 1 and are thus also patentable over *Pozniak* at least for the reasons set forth above with respect to claim 1.

In view of the foregoing amendments and remarks, the Examiner is respectfully requested to reconsider and withdraw the outstanding rejections.

In the event that there are any questions concerning this amendment, or the application in general, the Examiner is respectfully urged to telephone the undersigned attorney so that prosecution of the application may be expedited.

Respectfully submitted,

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